

REMARKS

Claims 1-45 and 47-80 were pending in the present application. The Examiner has rejected claims 1-10, 23-30, 43-45 and 47-49, has merely objected to claims 11-22, 31-42 and 50-54 and has allowed claims 55-80.

Claims 2, 3, 6-11, 24-31, 43, 45, 47-50 have been amended without prejudice. Claims 1, 23 and 44 have been cancelled without prejudice. Claims 82-165 have been added as new dependent claims. After the amendment, claims 2-22, 24-43, 45, 47-80 and 82-165 are pending.

Information Disclosure Statement filed January 6, 2007

Applicants respectfully request that the Examiner consider the information disclosure statement that was filed via EFS-Web on January 6, 2007. The information disclosure statement lists documents that were cited in the parent application, namely, U.S. Patent Application Ser. No. 09/634,552, filed August 8, 2000.

The present application (i.e., United States Patent Application Serial No. 09/692,420, filed October 19, 2000) is a **CONTINUATION** of said United States Patent Application Ser. No. 09/634,552.

It is respectfully requested that the Examiner initial a copy of the PTO Form SB 08A filed on January 6, 2007 as part of the information disclosure statement and that the Examiner return the initialed copy to Applicants in a subsequent official communication.

Claims 55-80: Allowed Claims

Applicants gratefully acknowledge the indication by the Examiner that claims 55-80 were allowed.

Claims 11-22, 31-42 and 50-54: Objected Claims

Applicants gratefully acknowledge the indication by the Examiner that claims 11-22, 31-42 and 50-54 recite patentable subject matter.

Since the Examiner has indicated that claim 11 recites patentable subject matter, Applicants have amended claim 11 into independent form by including the elements as set forth

in claim 1. Claim 1 has been cancelled without prejudice. It is believed that independent claim 11 and its dependent claims (i.e., claims 2-10 and 12-22) are in condition for allowance.

Since the Examiner has indicated that claim 31 recites patentable subject matter, Applicants have amended claim 31 into independent form by including the elements as set forth in claim 23. Claim 23 has been cancelled without prejudice. It is believed that independent claim 31 and its dependent claims (i.e., claims 24-30 and 32-43) are in condition for allowance.

Since the Examiner has indicated that claim 50 recites patentable subject matter, Applicants have amended claim 50 into independent form by including the elements as set forth in claim 44. Claim 44 has been cancelled without prejudice. It is believed that independent claim 50 and its dependent claims (i.e., claims 45, 47-49 and 51-54) are in condition for allowance.

By cancelling claims 1, 23 and 44, without prejudice, Applicants are not affirming the Examiner's characterization of the documents made of record, either alone or in combination, or the Examiner's characterization of recited claim elements.

Indeed, Applicants respectfully reserve the right to pursue, without prejudice, the subject matter recited in any of the cancelled claims in a continuing or related application.

Newly Added Dependent Claims 82-165

Applicants have added new dependent claims 82-165. Fourteen (14) new dependent claims have been added to each of the six (6) independent claims (i.e., claims 11, 31, 50, 55, 62 and 75). Support for the new dependent claims can be found, for example, in the specification at, for example, pages 9-11 and, for example, in the drawings at, for example, FIG. 2.

It is believed that claims 82-165 are in condition for allowance.

Excess Claim Fee Calculation

It is believed that an excess claim fee is due with respect to the newly added claims.

The present application was initially filed with eighty-one (81) claims.

Considering the addition of the eighty-four (84) new dependent claims and considering the cancellation of five (5) of the original eight-one (81) claims, a net total of seventy-nine (79) excess claims require an excess claim fee:

$$\mathbf{79 \text{ claims (not yet paid for)} \times \$50 \text{ per excess claim} = \$3950.}$$

It is believed that an excess claim fee of \$3950 is due.

The Commissioner is hereby authorized to charge additional fees or credit overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Conclusion

It must be stressed that Applicants do not necessarily agree or disagree with the Examiner's characterization of the documents made of record, either alone or in combination, or the Examiner's characterization of recited claim elements. In fact, the Examiner's characterization or interpretation of many of the documents of record is still left in doubt despite, in some instances, repeated requests for clarification.

Applicants respectfully reserve the right to argue the characterization of the documents of record, either alone or in combination, or the characterization of the recited claim elements should that need arise in the future.

Furthermore, the cancellation of any subject matter recited in the claims or the combination of subject matter recited in multiple claims shall not be deemed an admission by Applicants as to the patentability of the recited subject matter with respect to any of the documents of record, either alone or in combination, and certainly shall not be deemed an affirmation of the Examiner's characterization of the documents made of record, either alone or in combination, or the Examiner's characterization of recited claim elements.

Lastly, Applicants respectfully reserve the right to pursue, without prejudice, any cancelled subject matter in a continuing or related application.

In view of at least the foregoing, it is respectfully submitted that the pending claims 2-22, 24-43, 45, 47-80 and 82-165 are in condition for allowance. Should anything remain in order to

U.S. Application No. 09/692,420, filed October 19, 2000

Attorney Docket No. 15262US01 (39385/CAG/B600)

Amendment dated January 6, 2007


In Response to Office Action mailed December 27, 2006

place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-listed telephone number.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Dated: January 6, 2007

Respectfully submitted,


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